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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,497	10/03/2003	Kenji Ozasa	008312-0306209	4555
909	7590	12/13/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			LIOU, JONATHAN	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

2663

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/677,497	OZASA ET AL.	
	Examiner	Art Unit	
	Jonathan Liou	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1, 4-14, and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-14, 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

This Office action is in response to applicant's paper filed 10/11/2005. Claims 1, 4-14, and 16 as amended are currently pending in the application. Applicant has amended claims 1, 9, 14, 16, and canceled 2-3, 15, and 17. Claims 1, 4-14, and 16 stand rejected.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 5, 8-9, 14, and 16-17 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,940,082 to Brinegar et al.
2. In regards to claim 1, Brinegar et al. teaches an information communication method applies to a communication system in which a plurality of client apparatuses and each client apparatuses individually has a video display as a virtual whiteboard via a network to a server apparatus (see col 1, lines 26-42, Brinegar et al.) Brinegar et al. also teaches a video display as a shared drawing space that can display one or more drawings, and these drawings can include computer-aided design (CAD) drawings (see col 2, lines 59-67, Brinegar et al.) He further teaches a server apparatus managing information (see col 4, lines 32-56, Brinegar et al.)

Brinegar et al. teaches each user or collaborator in the collaborative drawing session has its own copy of the shared drawing. Each user can edit the shared drawing. Each user's alternations are captured and transmitted to the server computer (see col 1, lines 29-43, Brinegar et al.)

Brinegar et al. teaches session transcript procedures (126 Fig.1, Brinegar et al.) that record portions of or the entire design activity session into a session transcript (136 Fig. 1, Brinegar et al.), and transmitted to the server computer (see col 4 lines 5-56, Brinegar et al.) Then, the server computer broadcast the alternations to each of the client computer associated with a collaborator, which would be the destinations of the notation information (see col 1, lines 43-45, Brinegar et al.) In addition, Brinegar et al. teach curve descriptors, which could be interpreted as notation information as claimed, are formatted and transmitted to the server computer for broadcast to other collaborators (See col 9, lines 34-40.), which includes the information about the destinations of the notation information (curve descriptors.), and curve descriptors also include contents of the notation, coordinates of a position of the notation, and coordinates of a position on a CAD model to be indicated by the notation in the CAD file screen (Fig. 6A-E shows the coordinates of a position on a CAD model to be displayed and coordinates of a position of the notation, such as where the curve segment should be placed. See Fig. 6A-E, col 7, lines 30-50. In addition, Brinegar et al. teach a collaborator receives the curve descriptors and needs to translate them into curve points in order to display the image in the collaborator's virtual whiteboard; thus, the

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curve descriptors are different from a CAD model and is to be added to a CAD model as claimed.

Brinegar et al. teaches each collaborator participates in a collaborative drawing activity by utilizing the video display as "virtual whiteboard." The whiteboard can display any and all graphic images that are part of the collaborative drawing activity (see col 5, lines 5-9, Brinegar et al.) Thus, Brinegar et al. teaches all of the limitations recited in the claim 1.

3. In regards to claim 5, Brinegar et al. teaches the curve descriptors are transmitted to the server computer for broadcast to the other collaborators. The transmission can be formatted to include the location curve descriptors (see col 12 lines 12-25, Brinegar et al.) Therefore, he teaches displaying information indicating that corresponding notation information has newly arrived on a screen of each client apparatus.

4. In regards to claim 8, Brinegar et al. teaches a memory 208 in the server computer contains network access procedures 210, which can be used to implement a communication protocol that is suitable for transmitting data through the internet and send to client (see col 4-5, lines 32-4, Brinegar et al.) In other words, Brinegar et al. shows recording information on a notation created through a Web page, in the server apparatus and transmitting the notation information to each client apparatus as the destinations recited in claimed 8. Network access procedures 210 teaches the functionalities as accessing the server apparatus through the web page (see col 4, lines

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37-42, Brinegar et al.); thus, Brinegar et al. also teaches enabling the notation information recorded in the server apparatus recited in claim 8.

5. In regards to claim 9, Brinegar et al. teaches the network access procedures 210 transmits data through the internet, and operating system 212 of the server computer utilizes broadcasting procedures that manage the conferencing activities between the various client computers engaged in the collaborative design active (see col 4, lines 37-48, Brinegar et al.) Then, he further teaches the collaborative drawing activity comprising virtual whiteboard (for image display), a dialogue box, and a text input box (see col 5, lines 5-22, Brinegar et al.) Through network access procedures 210, the image and notation information would enable and record in the server apparatus.

Therefore, Brinegar et al. teaches all of limitations recited in the claim 9.

6. In regards to claim 14, Brinegar et al. teaches apparatus (system) of a plurality of client apparatus in Fig 2, and each of them having computer aided design (CAD) software (see col 1, lines 26-42 and col 2, lines 59-67, Brinegar et al.) He further teaches a server apparatus managing information (see Fig2 and col 4, lines 32-56, Brinegar et al.) Network Interconnectivity 106 in Fig 2 shows a network connecting the plurality of client apparatuses and the server. He also shows that each user or collaborator in the collaborative drawing session has its own copy of the shared drawing. Each user can edit the shared drawing. Each user's alternations are captured and transmitted to the server computer (see col 1, lines 29-43, Brinegar et al.) Then, those are displayed on the CAD file screen. In other words, Brinegar et al. teaches that each of the plurality of client apparatuses is configured to transmit the notation

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information (curve descriptors) related to a notation created on a CAD file screen to the server apparatus recited in the claim 14. Brinegar et al. further teaches an arbitrary client apparatus sends the notation information to the server apparatus, and transmit the notation information to one or more client apparatuses as destinations of the notation information (see col 1-4, Brinegar et al.) The remainder of limitations are similar to claim 1; thus, the same basis and rationale as applied to claim 1 are applied to the remainder of claim 14.

7. In regards to claim 15, the same basis and rationale for claim rejections as applied to claims 2 and 14 in the office action are applied.

8. In regards to claim 16, Brinegar et al. teaches a client apparatus having computer aided design (CAD) software and which can transmit and receive information to and from another client via a server apparatus (see col 1-5, Brinegar et al.) Hence, Brinegar et al. teaches all of limitations as a first processing and a second processing recited in the claim 16 (see col 4-5, lines 45-22, Brinegar et al.)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,940,082 to Brinegar et al.

10. In regards to claim 4, Brinegar et al. teaches each client apparatus inquires of the server apparatus and display the notation on the CAD file screen. Brinegar et al. does not explicitly teach each client inquires of the server as to whether corresponding notation information has newly arrived as claimed. Instead, Brinegar et al. directly sends the newly arrived information straight to the clients from the server before the client is inquired, and then displays the notation on the CAD file screen.

Brinegar et al. teaches a client computer sends a request to the server computer (see col 4-5, lines 57-4, Brinegar et al.) Then, server can send information to client, and client can obtain the notation and display the notation on the CAD file screen (col 3-4, Brinegar et al.) Although Brinegar et al. does not explicitly teaches the inquiring of the server apparatus as to whether corresponding notation information has newly arrived as claimed, Brinegar et al. teaches that sending the newly arrived information to the client via server directly without inquiring advance (see col 2-3, Brinegar et al.) Brinegar et al. further teaches the text input box 308 is used by a user to insert text messages that are distributed via the sever computer and display in the image (see col 5, lines 17-22, Brinegar et al.) Since Brinegar et al. teaches the method of sending a request to the server computer and text messages, the system would have client inquires of the server apparatus as to whether corresponding notation information has newly arrived. Then, client obtains the notation and displays the notation on the CAD file screen. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the inquiring of the server apparatus as to whether corresponding notation information has newly arrived based on Brinegar et al.'s teaching because

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Brinegar et al. teaches the method of sending request to the server (see col 4-5, lines 57-4, Brinegar et al.) and text messages box (see col 5 lines 17-22, Brinegar et al.), and so that Brinegar et al.'s server would be able to handle any number of desired requests.

11. In regards to claim 6, Brinegar et al. teaches a client computer sends a request to the server computer to connect (see col 4 lines 57-67, Brinegar et al.) means being powered on to activate a system, to read on the claimed "after being powered on to activate a system" as claimed. Then, the same basis and rationale for claim rejection as applied to claims 1 and 4 above in the office action are applied to the remainder of claim 6.

12. Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,940,082 to Brinegar et al. as applied to claim 1 above, and further in view of U.S. Pub. No2001/0029510 A1 to Tokui et al.

13. In regards to claim 7, Brinegar et al. teaches notifying each client apparatus as the destinations of new arrival of the notation information (see col 12 lines 12-25, Brinegar et al.) Brinegar et al. fails to teach notifying each client via electronic mail. Nevertheless, Tokui et al. teaches notifying each client via an electronic mail (page 4-5, Tokui et al.) Therefore, the structure of Brinegar et al. in view of teaching of Tokui et al. shows the limitations recited in claim 7. Since Tokui teaches the networking system for server and client and transmitting CAD file through server to client or client to server (see page 1, Tokui et al.), It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Brinegar et al. with the teaching of Tokui et al. because this would keep the client informed.

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14. In regards to claim 13, Brinegar et al. teaches all limitations in claim 1. Brinegar et al. teaches that network access procedures 210 in the server (see Fig. 2 and col 4, lines 37-42, Brinegar et al.); thus, other clients would brose or reference the information in the server apparatus. He does not specifically teach storing the information indicating the display of the notation in the server apparatus. Nevertheless, Tokui et al. teaches storing the information data created by the client in the server (page 3, sec [0054], Tokui et al.) Since Brinegar et al. teaches the information indicating the display of the notation in association with the notation information (see col 1-5, Brinegar et al.) and Tokui et al. teaches storing the information data in the server; thus, the method of Brinegar et al. in view of Tokui et al.'s teaching, would perform the limitations recited in the claim 13. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Brinegar et al. with the teaching of Tokui et al. because of the storing function would provide the ability of accessing the information by users and also display information more effective.

15. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,940,082 to Brinegar et al. as applied to claim 1 above, and further in view of U.S. Pub. No. 2002/0072922 A1 to Suzuki et al.

16. In regards to claim 10, Brinegar et al. teaches the information communication method according to claim 1 (see col 1-5, Brinegar et al.) Brinegar et al. does not teach using a layer function to switch between display and non-display of the notation to indicate whether or not a task indicated by the notation has been completed. Suzuki et al. teaches that display of display and non-display of the list to indicate whether or not

the checklists have been completed (see page 9, sec [0273-0277], Suzuki et al.); hence, Suzuki et al. teaches the method, which performs the same functionality as a layer function as claimed. Since Brinegar et al. teaches the CAD software and Suzuki et al. teaches the switching display and non-display of the notation to indicate whether or not a task indicated by the notation has been completed, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the structure of Brinegar et al. with the teaching of Suzuki et al. because switching display and non-display of the notation would provide the user the advantage of checking whether or not a task has been completed.

17. In regards to claim 11, Brinegar et al. teaches transmitting erased information to each client apparatus when the task is completed (see col 13, lines 5-13.) The erased information, could be interpreted as the nondisplay of the notation as recited in claim 11. Then, the same rationale and motivation from claim rejection as applied to claim 10 are applied.

18. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,940,082 to Brinegar et al. in view of U.S. Pub. No. 2002/0072922 A1 to Suzuki et al. as applied to claim 10, and further in view of U.S. Pub. No. 2001/0029510 A1 to Tokui et al.

19. In regards to claim 12, the structure of Brinegar et al. in view of Suzuki et al.'s teaching shows the information communication method according to claim 10 (see the claim rejection as applied to claim 10 in the office action.) Their combined structure does not teach storing information in the server apparatus. Nevertheless, Tokui et al.

teaches storing the information data created by the client in the server (page 3, sec [0054], Tokui et al.) Since, the structure of Brinegar et al. in view of Suzuki et al.'s teaching shows the information indicating the display or no-display of the notation and Tokui et al. teaches storing information in the server apparatus; thus, the method of Brinegar et al. in view of Suzuki et al. and Tokui et al.'s teaching would perform the limitation recited in the claim 12. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the structure of Brinegar et al. based on Suzuki et al. and Tokui et al.'s teaching because of the storing function would provide accessing the information by users and display information more effective.

### ***Response to Arguments***

20. Applicant's arguments filed on 10/11/2005 have been fully considered but they are not persuasive.

Brinegar et al. teach the curve descriptor performs the same function as the notation information as claimed (See claim rejection 1 above in the office action.) Brinegar et al. teach a collaborator receiving the curve descriptors and translate them into curve points in order to display the image (See col 1, lines 61-65, Brinegar et al.) Thus, the curve descriptor is different from a CAD model and is to be added to a CAD model in a CAD file screen as claimed. The curve descriptor also includes information including the contents of the description, coordinates of a position of the notation and position on a CAD model (See claim rejection 1 above in the office action.)

Regarding argument on page 7, the system would have client inquiries of the server apparatus as to whether corresponding notation information has newly arrived. Brinegar et al. teaches the method of sending request to the server (see col 4-5, lines 57-4, Brinegar et al.) and text messages box (see col 5 lines 17-22, Brinegar et al.) And, Brinegar et al. also teaches a collaborator receiving the curve descriptors (See col 1, lines 61-64, Brinegar et al.) Fig. 6A-E and Fig. 3 shows the request information has been newly arrived or received.

### ***Conclusion***

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Liou

 12/08/2005  
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